

2SHB 3026 - H AMD 1117

By Representative Anderson

NOT ADOPTED 2/13/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that in 1975
4 legislation was adopted, and later codified in chapter 28A.640 RCW,
5 recognizing the deleterious effect of discrimination on the basis of
6 sex, specifically prohibiting such discrimination in Washington public
7 schools, and requiring the office of the superintendent of public
8 instruction to monitor and ensure compliance. The legislature further
9 finds that, while numerous state and federal laws prohibit
10 discrimination on other bases in addition to sex, the common school
11 provisions codified in Chapter 28A RCW do not include specific
12 acknowledgment of the right to be free from discrimination because of
13 race, creed, color, national origin, honorably discharged veteran or
14 military status, sexual orientation, or the presence of any sensory,
15 mental, or physical disability or the use of a trained dog guide or
16 service animal by a person with a disability, nor do any common school
17 provisions specifically direct the office of the superintendent to
18 monitor and enforce compliance with these laws. The legislature
19 further finds that one of the recommendations made to the legislature
20 by the achievement gap and accountability committee created pursuant
21 to chapter 468, laws of 2009 was that the office of the superintendent
22 of public instruction should be specifically authorized to take
23 affirmative steps to ensure that school districts comply with all
24 state and federal civil rights laws, similar to what has already been
25 authorized in chapter 28A.640 RCW with respect to discrimination on
26 the basis of sex. The legislature recognizes and reaffirms that, in
27 accordance with state and federal laws prohibiting discrimination,

1 discrimination in Washington public schools on the basis of race,
2 creed, color, national origin, honorably discharged veteran or
3 military status, sexual orientation including gender expression or
4 identity, the presence of any sensory, mental, or physical disability,
5 or the use of a trained dog guide or service animal by a person with a
6 disability is prohibited.

7
8 NEW SECTION. **Sec. 2.** The office of the attorney general, in
9 cooperation with the human rights commission and the office of the
10 superintendent of public instruction, shall review the statutory
11 framework currently in place for ensuring local school district
12 compliance with state and federal laws prohibiting discrimination, as
13 well as the history of complaints and enforcement activities to date,
14 and shall submit its findings and recommendations with respect to what
15 legislation, if any, is necessary to ensure that local school
16 districts comply with state and federal laws prohibiting
17 discrimination in public schools, including in the areas of public
18 school employment, counseling and guidance services to students,
19 recreational and athletic activities for students, access to course
20 offerings, and in textbooks and instructional materials used by
21 students. The report of findings and recommendations shall be
22 submitted no later than December 1, 2010 to the speaker of the house,
23 majority leader of the senate, and the appropriate committees of the
24 legislature."

25
EFFECT: Strikes everything after the enacting clause.
Recognizes that state and federal laws prohibit discrimination on
the basis of race, creed, color, national origin, honorably
discharged veteran or military status, sexual orientation
including gender expression or identity, the presence of any
sensory, mental, or physical disability, or the use of a trained
dog guide or service animal by a person with a disability. Tasks
the Office of the Attorney General, in cooperation with the Human
Rights Commission, and the Office of Superintendent of Public
Instruction, with reviewing the statutory framework currently in
place for ensuring school district compliance with these state and
federal laws, as well as the history of complaints and compliance

activity to date, and making recommendations to the Legislature, by December 1, 2010, with respect to whether additional legislation is needed to ensure compliance with state and federal laws in this area.

--- END ---